

Kenneth Waddell,)
)
Plaintiff,)
)
v.) Case No.: 2:16-CV-05-PLR-CLC
)
Sullivan County, *et al.*,)
)
Defendants.)

This matter comes before the Court on the defendants’ motion to dismiss based on a lack of subject-matter jurisdiction. [R. 6]. Federal district courts have original jurisdiction over “all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. “Absent diversity of citizenship, federal-question jurisdiction is required. The presence or absence of federal-question jurisdiction is governed by the ‘well-pleaded complaint rule,’ which provides that federal jurisdiction exists only when a federal question is presented on the face of the plaintiff’s properly pleaded complaint. The rule makes the plaintiff the master of the claim.” *Caterpillar Inc. v. Williams*, 482 U.S. 386 at 392 (1987) (citing *Gully v. First National Bank*, 299 U.S. 109, 112-113 (1936)).

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meritorious or not, this Court lacks the authority to adjudicate them without subject-matter jurisdiction. Accordingly, the defendants' motion to dismiss [R. 12] is **Granted**. The plaintiff's complaint is **Dismissed** without prejudice to refile in the appropriate state court.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE